

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Ben Gilmore	Team: Team # 4	CCRB Case #: 201307363	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 01/28/2013 5:00 PM	Location of Incident: Foch Boulevard & Long Street	Precinct: 113	18 Mo. SOL 7/28/2014	EO SOL 7/28/2014	
Date/Time CV Reported Thu, 08/08/2013 8:47 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 08/13/2013 3:17 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Yevgeniy Zaytsev	12848	949825	113 PCT
2. Officers			

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: Officers stopped the car in which § 87(2)(b) was an occupant.	
B. Officers	Force: Officers used physical force against § 87(2)(b)	
C.POM Yevgeniy Zaytsev	Force: PO Yevgeniy Zaytsev used physical force against § 87(2)(b)	

Case Summary

On August 8, 2013, § 87(2)(b) called 911 to file a complaint against NYPD officers, and he was connected to the IAB Command Center. The CCRB received the complaint (IAB log #2013-34031) on August 13, 2013. § 87(2)(b) identified PO Yevgeniy Zaytsev by last name and tax number as one of the officers who punched him in the face and head. Three officers who are subjects of allegations remain unidentified. § 87(2)(b) provided the last name of one of the three unidentified officers, Nieves, but § 87(2)(b) did not provide any other information about this officer, and there is no Nieves who is assigned to the 113th Precinct.

Several attempts were made to obtain a sworn statement from § 87(2)(b). On August 14, 2013, § 87(2)(b) was called, and a voicemail message was left requesting that he call back. On August 14, 2013, a first please call letter was sent to § 87(2)(b). On August 14, 2013, § 87(2)(b) called the undersigned, provided the time of the incident, and said that he would call back within a week to schedule a time to provide a sworn statement to the CCRB. On August 22, 2013, § 87(2)(b) was called, and he said that he would call back. On September 4, 2013, § 87(2)(b) was called, and he said that he would call back after speaking with his attorney. On September 6, 2013, a final please call letter was sent to § 87(2)(b). On September 9, 2013, § 87(2)(b) was called, and he said that he would call back by the end of the week, after conferring with his attorney, and inform the undersigned how he wished to proceed with his complaint. On September 30, 2013, § 87(2)(b) was called, and a voicemail message was left requesting that § 87(2)(b) call back. As of October 22, 2013, § 87(2)(b) has not contacted the CCRB.

§ 87(2)(g)

Team: _____

Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date